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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/777,958	12/24/1996	DONALD F. HAMILTON	02103/211002	4029
26162	7590	04/13/2007	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			SWERDLOW, DANIEL	
		ART UNIT	PAPER NUMBER	
		2615		
		MAIL DATE		DELIVERY MODE
		04/13/2007		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action
After the Filing of an Appeal Brief

Application No.

08/777,958

Applicant(s)

HAMILTON ET AL.

Examiner

Daniel Swerdlow

Art Unit

2615

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 13 September 2005 is acknowledged.

1. The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

- a. The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
- b. The affidavit or other evidence is not timely filed before the filing of an appeal brief.
See 37 CFR 41.33(d)(2).

2. The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. Other: _____

The amendment to the claims filed on 13 September 2005 is entered. The amendment places the application in better condition for appeal by resolving certain issues of indefiniteness due to lack of antecedent basis and improper dependency from canceled claims.



Daniel Swerdlow
Primary Examiner
Art Unit 2615

ds

11 April 2007